

CHAPTER 219, PUBLIC ACTS OF
1913.

An Act concerning the Election of Senators and Representatives in the Congress of the United States and other Officials.

*Be it enacted by the Senate and House
of Representatives in General
Assembly convened:*

SECTION 1. A senator in congress shall be elected by the electors of the state in the years 1914, 1916, 1920, 1922, 1926, and 1928, as determined by the constitution of the United States, and in any subsequent years occurring next before the expiration of the term of a senator in congress, and in any other year when the governor shall issue writs of election to fill a vacancy in the office of senator in congress.

SEC. 2. Section 1632 of the general statutes as amended by section one of chapter 263 of the public acts of 1911 is hereby amended to read as follows:

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All ballots used at elections held on the Tuesday after the first Monday in November and at all special elections held for the purpose of electing officers voted for on said day shall be prepared by the secretary of the state and printed at the expense of the state. All ballots used at all regular town, city, and borough elections, and at all special electors' meetings held for the purpose of electing officers voted for at such elections, shall be printed by the secretary of the state at the expense of the town, city, or borough for which such ballots are prepared. All such ballots shall be printed on plain white paper of uniform color, quality, and thickness for each ballot of the same class, to be determined by said secretary. In addition to the official endorsement which shall appear on the back thereof, all ballots shall contain a list of the candidates of the several political parties, which shall be printed in parallel columns. Each column shall be headed by the name of such party, and shall be arranged in such order as the secretary may direct, precedence being given to the party which polled the highest number of votes for governor at the last preceding general election for such office, and so on. The number of such columns shall exceed by one the

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number of separate tickets of candidates to be voted for at the polling place for which the ballot is provided. The title of the office, with the names of the candidates therefor, shall be printed in a space one-half inch in depth and at least two inches in width, defined by light horizontal lines, with a blank space on the left thereof one-fourth of an inch wide enclosed on both sides by heavier dark lines, which space shall be known as the voting space, and shall be of the same depth as the space containing the title of the office and the name of the candidate. When two or more persons are to be voted for for the same office and for the same term, on the same party ticket, the title of the office shall be printed in the first space only. On the right of each ballot shall be a column in which shall be printed only the titles of the offices for which candidates may be voted for by electors at the polling place for which the ballot is printed. Such column shall be designated as "blank column", and in such column the voting spaces shall be omitted, but in all other respects such blank column shall be a duplicate of the political party column upon each ballot. Where electors of president and vice-president are to be voted for, the title printed over the

names of the candidates therefor shall read "electors of president and vice-president" and when a senator in congress is to be voted for, the title printed over the name of the candidate therefor shall read "United States senator", and shall be placed on the ballot next before the words "representative in congress", and where a district representative in congress is to be voted for, the title of that office shall read "representative in congress", and where state officers are to be voted for, the title of those officers shall read "governor", lieutenant-governor", "secretary", "treasurer", "comptroller", and "attorney-general", respectively, and where other officers are to be voted for, the titles of the officers shall be described as they are respectively described in the constitution of this state, or if not therein mentioned, their titles shall be described as they are respectively described in the statutes which create them. The titles of the officers voted for and the names of the candidates shall be printed upon the face of the ballots in black ink and in type of uniform size and style. The name of the party shall be in larger type than that used for printing the titles of the officers and the names of the candidates, the sizes and style of which type shall be the

same throughout the ballot, and shall be prescribed by the secretary not less than thirty nor more than sixty days before any election held under these provisions, provided voting machines may be used in all towns, cities, and boroughs according to law.

SEC. 3. Section 1663 of the general statutes as amended by section twenty of chapter 250 of the public acts of 1909 is hereby amended to read as follows: The presiding officer of every electors' meeting at which candidates for the office of presidential electors, governor, lieutenant-governor, secretary, treasurer, comptroller, attorney-general, senator in congress, representative in congress, senator or representative in the general assembly, sheriff, or judge of probate, are voted for shall make out and return to the secretary of the state, with the certificate that he is required to send to said secretary, a statement showing the number of ballots counted and returned to him by the checkers and counters. The secretary shall enter said returns in tabular form in books kept by him for that purpose, and present a printed report of the same to the general assembly at its next session.

SEC 4. Section 1662 of the general statutes is hereby amended to read as

follows: The presiding officer of each electors' meeting in every town not divided into voting districts, and each presiding officer of the first district in all towns divided into voting districts, unless otherwise provided by special statute, except the towns of Hartford, Enfield, Plymouth, New London, and Waterbury, the presiding officer of the fifth district of Hartford, the presiding officer of the second district of Enfield, the presiding officer of the second district of Plymouth, and the presiding officer of the third district of Waterbury and New London, shall make out triplicate lists of the votes given in their respective towns for each of the following officers: Governor, lieutenant-governor, secretary, treasurer, comptroller, attorney-general, senator in congress, or member of the senate of this state, judge of probate, sheriff, and representative in congress, when said officers are to be chosen; also of the votes given for representative or representatives to the general assembly chosen from such town, two of which lists he shall seal and deposit in the post office in said town, the postage being paid thereon, directed to the secretary of the state, one within two days, and the other within not less than five nor more than ten days after

said meeting; and the third he shall deliver to the clerk of said town within two days after said meeting.

SEC. 5. In the election for senator in congress the person receiving the greatest number of votes for such office shall be declared elected, but if no person has a plurality of votes for said office the governor may make a temporary appointment of a senator in congress to serve for the ensuing two years unless the general assembly shall direct a special election for a senator in congress, to be held during said period, to fill the vacancy occasioned by such failure to elect.

SEC. 6. Section 1685 of the general statutes is hereby amended to read as follows: Any elector residing in any town, who claims that he is aggrieved by any ruling of the moderator at any election for electors of president and vice-president, and for a senator in congress, and for representative in congress, or either of them, held in his town, or that there was a mistake in the count of the votes cast at such election for candidates for said electors or representative in congress, or either of them, at any voting district in his town, may, within three days after such election, bring his complaint to any judge of the supreme court of errors, in which he shall set out

in a proper form the claimed errors of the moderator, or the claimed errors in the count, and such judge of the supreme court shall forthwith order a hearing to be had upon said complaint, upon a day not more than five nor less than three days from the making of said order, and shall cause notice of not less than three nor more than five days to be given to any candidate or candidates whose election may be affected by the decision upon such hearing, and to any other party or parties whom such judge shall deem proper parties thereto, of the time and place for the hearing upon such complaint; and such judge with two other judges of the supreme court to be designated by the chief justice of said court, or, in case of his inability, by the judge of the supreme court to whom such application is made, shall, on the day fixed for said hearing, and without unnecessary delay, proceed to hear the parties, and, if sufficient reason be shown, they may order any ballot boxes to be opened and a recount of the ballots cast to be made, and they shall thereupon, in case they, or any two of them, find any error in the rulings of the moderator or any mistake in the count of said votes, certify the result of their finding or decision, or the finding or decision of a

majority of them, to the secretary of the state before the Monday before the last Wednesday of the month in which such elections are held; and such certificate of said judges, or a majority of them, shall be final upon all questions relating to the rulings of said moderators, and to the correctness of said count, and shall operate to correct the returns of such moderators or presiding officers, so as to conform to such finding or decision.

SEC. 7. Section 1687 of the general statutes is hereby amended to read as follows: In case of a vacancy in the office of senator in congress or in the office of representative in congress from any district the governor, except as otherwise provided by law, shall issue writs of election, directed to those officials whose duty it shall be to warn electors' meetings in the vacant district or in the state at large, as the case may be, ordering an election to be held on a day named, to fill such vacancy, and cause them to be conveyed to the sheriffs of the counties composing such districts, who shall forthwith transmit them to said officials who on receiving said writs shall warn electors' meetings to be held on the day appointed therein in the same manner as biennial electors' meetings are warned, which meetings shall be

organized, conducted, and proceeded with as biennial electors' meetings, and said ballots shall be counted and the vote declared, certified, directed, deposited, returned, and transmitted in the same manner as at a biennial electors' meeting.

SEC. 8. Section 1689 of the general statutes is hereby amended to read as follows: The votes returned as cast for a senator in congress, representatives in congress, and electors of president and vice-president of the United States shall be publicly counted by the treasurer, secretary, and comptroller on the last Wednesday of the month in which they were cast, and said votes shall be counted in conformity to any decision rendered by the judges of the supreme court of errors as provided in section six, and in accordance with the count so made they shall, on said day, declare what persons are elected senators in the congress of the United States or representatives in congress, and they shall declare the proper number of persons having the greatest number of votes to be electors of president and vice-president of the United States, and, in case of an equal vote for said electors shall determine by lot from the persons having such equal number of votes the person or persons

appointed, and shall publish the names of the persons appointed said electors in two newspapers published in Hartford, and immediately notify them by mail of their appointment.

SEC. 9. Section 86 of the general statutes is hereby amended to read as follows: When any senator in congress has been duly elected, the governor shall certify his election under the seal of the state to the president of the senate of the United States, which certificate shall be countersigned by the secretary.

SEC. 10. This act shall not take effect unless the amendment proposed by congress to the constitution of the United States providing that senators shall be elected by the people of the several states, is duly ratified and proclaimed, but in case of such ratification, and due proclamation by authority of the United States, before the date fixed by law for the taking effect of the acts passed at this session, when not otherwise therein provided, it shall take effect at that date, but if such proclamation shall be issued after that date this act shall take effect sixty days after the date of said proclamation.

Approved, June 6, 1913.

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